



Facsimile Cover Sheet

P-8999.00

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Date: December 27, 2002

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**Pages including this
cover page:** 8

GROUP 3700

Comments:
RE: P-8999.00
Serial No. 09/825,909
Applicants: Thompson et al.
Filed: April 4, 2001
Title: **Implantable Medical Device Controlled by a Non-Invasive
Physiological Data Measurement Device**
Group Art Unit: 3762

Attached please find the following documents:

- Amendment
- Version with Markings to Show Changes Made
- Transmittal

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DOCKET NO.: P-8999.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
AMENDMENT TRANSMITTAL

In re Application of: Thompson et al.
For: IMPLANTABLE MEDICAL DEVICE CONTROLLED BY A NON-INVASIVE PHYSIOLOGICAL DATA MEASUREMENT DEVICE
Serial No.: 09/825,909
Filed: April 4, 2001

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that this Amendment and Transmittal and the paper(s), as described herein are being sent to telefacsimile No. (703) 305-3590 at the U.S. Patent and Trademark Office, Assistant Commissioner for Patents, Washington, D.C. 20231 on this 22nd day of December, 2002.

Sue McCoy
Signature
Sue McCoy
Printed Name

BOX NON-FEE AMENDMENT
Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

AMENDMENT
 Version with Markings to Show Changes Made

Applicant hereby petitions for -months' extension of time. If an additional extension of time is required, please consider this petition therefor.

Please charge Deposit Account No. 13-2546 in the amount of \$.00 for fee.

Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Amendment Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

12/27/02

Date

Girma Wolde-Michael
Girma Wolde-Michael, Reg. No. 36,724
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12/20
PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David L. Thompson

Docket: P-8999

Serial No.: 09/825,909

Group Art: 3762

Filed: April 4, 2001

Examiner: Frances P. Oropeza

Title: IMPLANTABLE MEDICAL DEVICE CONTROLLED BY A NON-INVASIVE
PHYSIOLOGICAL DATA MEASUREMENT DEVICEAMENDMENT IN RESPONSE TO OFFICE ACTIONDATED OCTOBER 3, 2002Honorable Commissioner For Patents and Trademarks
Washington, D.C. 20231

Sir:

Reconsideration of the above-identified application is respectfully requested.

IN THE CLAIMS:

Please amend claims 1-3 and 5-7 as follows:

Sub B1

A

1. A system for controlling the operations of at least one implantable medical device ("IMD") via an external device in data communication with the IMD, the system comprising:
 - at least one IMD providing therapy delivery;
 - at least one physiological sensor implemented in an external device; and
 - means for transmitting control signals to the IMD from said external device;
 - said physiological sensor and transmitting means forming a dynamic closed loop self monitoring system.
2. The system of claim 1 wherein said at least one IMD is selected from the group consisting of a pacemaker, a defibrillator, a drug pump, and a neuro stimulator.